

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)	MDL 2804
OPIATE LITIGATION)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
)	Judge Dan Aaron Polster
<i>All Cases Naming Novartis</i>)	
<i>Pharmaceuticals Corporation as Defendant</i>)	

STATUS REPORT OF DEFENDANT
NOVARTIS PHARMACEUTICALS CORPORATION

Defendant Novartis Pharmaceuticals Corporation (“NPC”), by its undersigned counsel, submits this status report in accordance with the Court’s docket Order entered June 23, 2022 requiring the submission of status reports by noon EST on September 21, 2022 in advance of a status conference on September 23, 2022.

As NPC explained in its prior Status Report [D.E. 4535], NPC and its Novartis affiliates are erroneously named in these actions because they are not in the direct corporate parentage of generic manufacturer Sandoz Inc. (“Sandoz”) and had no involvement with the manufacture, marketing, or distribution of Sandoz’ opioids products in the United States. Since the prior Status Conference on June 22, 2022, counsel for NPC has met and conferred with members of Plaintiffs’ Executive Committee (“PEC”) to attempt to explain the error in naming Novartis entities as defendants in this litigation, and has worked to determine any information and/or documentation that could be provided to support this assertion, with an eye towards dismissal of the inappropriately-named Novartis entities. Because Novartis entities are inappropriately named in these cases and were not involved in the manufacture, marketing, or distribution of the opioids products manufactured, marketed, and distributed by Sandoz in the U.S., Novartis is not a necessary party to any mediation or settlement discussions and instead would direct Plaintiffs to

confer further with Sandoz as the corporate entity with direct involvement with U.S. opioid products at issue in this litigation. Accordingly, NPC adopts and incorporates Sandoz' position statement on settlement set forth in its Status Report, only insofar as NPC will continue during any settlement discussions to explain why it should be dismissed from all cases in which it is named.

Because NPC was not involved with the manufacture, marketing, or distribution of any of Sandoz' opioids products in the U.S., it will not have information or documents of the type requested by Plaintiffs to be exchanged in advance of formal or informal settlement discussions. NPC has no sales or marketing documents for U.S. opioids products because it did not sell or market any such products. NPC similarly will not have distribution or suspicious order monitoring data because it was not involved in either process for Sandoz' products. NPC was not the holder of any Drug Enforcement Agency ("DEA") licensure for any facility that warehoused or distributed Sandoz' opioid products. As a result, NPC has no further documents or information to share beyond the materials previously offered to demonstrate lack of involvement in Sandoz' opioid products and/or lack of corporate parentage of Sandoz Inc.

In terms of next steps, NPC respectfully suggests that additional meet and confer discussions with the PEC are likely warranted, and after the previously referenced information is shared NPC would suggest further discussions on potential voluntary dismissal of NPC and its related Novartis affiliates from the individual cases in which it has been erroneously named. NPC reserves its right to seek further relief from this Court if necessary in the event such discussions are unsuccessful or disputes remain over whether NPC is an appropriate Defendant in this MDL.

Dated: September 21, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 21, 2022, the foregoing was filed using the Court's CM/ECF filing system and will be served via the Court's CM/ECF filing system on all attorneys of record.

Dated: September 21, 2022

Respectfully submitted,

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